

3.10.14 Conservation Commission Minutes

Minutes of the Taunton Conservation Commission March 10, 2014

Present: Chair Steven Turner, Vice Chair Debra Botellio, Commissioners Ernest Enos, Luis Freitas, Neil Kelly, Marla Isaac, and Renwick Chapman

Motion to approve the minutes of January 2014, DB, second RC, so voted.

Skateboard Park Presentation

LeeAnn Tavares and Melissa Thomas are present and members of the committee. They will be getting funding together. It will be raised by the Skateboard Park Committee. This park is poured in place concrete. The main upkeep is sweeping. The plan has trees around different points of the park, RC would rather see no trees. The fence is currently at 4 feet, they will be checking with the historic commission as to what type of fence they can have. ST asked about lighting? There are already lights there, the Mayor had said 9pm closing and lights out. The committee wants to work with the Taunton Police Department to put cameras in. This park is not just for skateboarding but also BMX and inline skating. ST would like a 6 foot fence, and he asked about gates. That would be up to the city. ST is more comfortable with a closing time. Motion that the TCC give the Skateboard Committee a letter of support for the park, DB, second MI, so voted. It was mentioned that the committee should be aware that they will have to file an NOI to go forward, once they meet and get approval from all other boards and city council. RC said we will have to review and approve or not approve at that point. That being said is it right to still give a letter of support? ST said yes it is fine to do a letter. MI can put in the letter that it will be upon the TCC approval. DB letter more so for the committee to get all their ducks in a row, if not approved it will not go any further. RC when they put the plans together, used some vegetation. LeeAnn said whatever native species they recommend. MR and ST said shrubs, that way the park will be more visible.

Public Input

Linda Baker- what will be done as far as trash generated there? ST said Skatepark Committee will be responsible for maintaining it. They may have a bag dispenser, barrel, etc. LeeAnn said that Republic Waste has said they would work with them and provide barrels. The worry with that is trash being dumped there by anyone, not just park users. They encourage a "take in, take out" policy.

Certificate of Compliance

- **Railroad Avenue, Cornaglia, COT/DPW, (COC) SE73-2184** Field report states that this proposal was to install a sewer line along Railroad Avenue from South Street to the dead end at the railroad tracks beyond Somerset Avenue. The project consisted of construction of 2,375 linear feet of low pressure sewer to eliminate illicit sewer connections to an existing storm drain, as well construction of 970 linear feet of new drain pipe and related drainage structures within the limits of the Railroad Avenue right of way in order to mitigate problematic flooding associated with the above mentioned existing storm drainage system during storm events. All work has been completed in significant compliance to the order of conditions issued on 5/23/06. All areas are stable; therefore MR recommends that the TCC issue a COC for this project. Motion to approve, RC, second NK, so voted.
- **Dean Street, Cornaglia, COT/DPW, (COC) SE73-2381** Field report states that this project was for the construction of a new sewage pumping station and demolition of the existing pumping station. The new station was constructed in close proximity to the previous station. This project was completed in significant compliance to the order of conditions issued on 4/9/09. All areas are stable, therefore, MR recommends that the TCC issue a COC for this project. Motion to approve, DB, second MI, so voted.
- **Westcoat Drive, Taunton Municipal Airport, (COC), SE73-2468** Field report states that this project was for the proposed rehabilitation of the existing Turf Runway 4-22, (RW 4-22) and re-alignment of the existing Turf Connector Taxiway at the Taunton Municipal Airport. This work was never started and the Applicant wished to close the filing. MR recommends that the TCC issue a COC to close this project. RC asked no work but they need a COC? Yes we have to close out the file MR answered. This is due to a lien. It needs to be closed out.

Motion to approve, NK, second RC, so voted.

- **13 Everett Street, Merrey, (COC), SE73-2453** Field report states that this filing was for the razing of an existing garage and construction of a new 24'x24' garage and an 18' diameter above ground pool, which is located behind the new garage. The pool is closest to the wetland resource areas at 56 feet from the BVW and 133 feet from the stream. A deck was constructed between the garage and pool in order to afford access to the pool. All work has been completed in significant compliance to the order of conditions issued on 11/16/10, and amended on 4/11/12. MR recommends that the TCC issue a COC for this project. Motion to approve, RC, second DB, so voted.
- **70-74 Weir Street, Izedian, (COC), SE73-2502** The field report states that this filing was for the repair to an existing wood and concrete deck spanning the Mill River. The work will be performed on the concrete slab and decking and will not be in any of the resource areas. The work is to ensure that cars can safely park upon the deck and that debris from the currently deteriorated sections will no longer fall into the Mill River. New wood planking and concrete slabs were used to replace the deteriorating sections of the span. A debris net was used to capture debris so that it did not enter the river. All work was completed in significant compliance to the order of conditions issued on 5/14/12. MR recommends that the TCC issue a COC for this project. Motion to approve, DB, second RC, so voted.
- **609 Tremont Street, McIntyre, (COC), SE73-2474** Field report states that this project was for a septic system repair. The existing cesspool was drained, crushed, and abandoned. All work has been completed in significant compliance to the order of conditions issued on 6/29/01. All areas are stable. MR recommends that the TCC issue a COC for this project. Motion to approve, DB, second RC, so voted.
- **250 Cape Highway, Rheume, Prime Engineering, (COC), SE73-2146** Field report states that this project was for limited improvements to the existing driveway and parking lot within the front of the property and the northwest corner of the property. The work was never started and the applicant wishes to close the file. MR recommends that the TCC issue a COC noting that work never commenced. Motion to approve, DB, second NK, so voted.

Amendment

- **Howard Street, Cornaglia, COT/DPW, (Amendment), SE73-2423** Field report states that this project is to eliminate three existing storm drain/sanitary sewer cross-connections. In order to redirect the cross-connected stormwater flow into the drainage system, the existing drain system will be upgraded from 12" pipe to 24" pipe to avoid flooding the surrounding areas while conveying the additional stormwater. Water quality treatment measures will be included in the project. Howard Street is situated behind the TMLP storage facility and is within the city of Taunton's DDA which has a 25-foot Riverfront area. The area of work will be within currently paved areas. All work will be done during construction season and will be timed so that the driveway and parking area will be re-paved with binder coat applied before the asphalt plant closes for the winter. All construction will be coordinated with the TMLP for access and security and all trenches will be backfilled or covered with road plates at the end of the work day. No open trenches will be left unsupervised and all security barriers are to be placed at the end of the day. The applicant is requesting an amendment to remove the proposed water quality unit due to unexpected site limitations. Soil and groundwater sampling was done due to the historic industrial use of the project site. The soils are impacted with leachable lead and PAHs and the groundwater contains arsenic, cadmium, lead, mercury, nickel, and zinc. The soils are considered hazardous (the limits of leachable lead is above EPA limits) and the contaminants in the water make dewatering, which would be required in order to install the water quality unit, costly. The water quality unit would have provided full treatment for the peak flow rates associated with the water quality storm event (1" of rainfall). With the withdrawal of the water quality unit, there will now be reduced benefits to the water quality, although there will be an overall improvement to water quality with the removal of the sewer cross connections. MR recommends that the TCC approve the changes to this project and issue an amended order of conditions and to retain the special conditions issued with the original order of conditions. Motion to open DB, second MI, so voted. Angela Saunders present and went over the project and plan. RC had concerns with not using a water quality unit and feels one should be put in. Why go through all this work and cost and not put one in. Angela said they ran into issues and decided to take it out. RC asked if we knew where the groundwater is? Angela did not but she wasn't the one who did the plan. RC wants to know and to see if in fact water quality unit is needed or not. Angela said it was going to cost more so that's why it was removed. RC asked about erosion control. Angela said they could add the erosion control to the amended order of conditions. RC would like to see it at the trench from east to west, at face of building, at the heavy shaded line at parking lot along southerly side of the trench to the river. It should be straw wattles. No proposed erosion control where there is a 3 foot wall between the parking lot and the river. RC asked

about silt sacs? Its already in the order of conditions. RC asked that silt sacs be put at the catch basin in the middle of the plan. RC would like an evaluation of the water quality unit, understand where the groundwater is, and would like to continue the hearing and see test pit results. Motion to continue to April 14, 2014 to see test pit results that show where the groundwater is at the proposed location of the water quality unit, RC, second DB, so voted. Motion to close, DB, second MI, so voted.

Public Meeting

- **65 Prospect Hill Street, Perry, (RDA), DSE-1067** The field report states that this filing is for a septic system repair with associated site grading. This property is on the south side of Prospect Hill Street and the wetland is located behind the home. It was delineated by SFG Associates on 2/20/14 using 4 pink flags. MR is in agreement with the placement of the flags. The existing septic tank will be removed and replaced with a 1500 gallon tank and the soil absorption system will be 16 feet behind the house. A siltation barrier is depicted on the plan and will be considered the limit of work. The closest disturbance to the wetland will be grading, 63 feet in distance. No work will occur within the 25 foot WPZ. The work as presented will not negatively impact the wetlands, therefore MR recommends that the TCC approve the wetland line, flags 2-3, with flags 1 and 4 for reference purposes and issue a negative determination to include the attached special conditions. Brad Fitzgerald present. Brad said new system is further from the wetland than existing is. RC asked if existing is a leaching field? Brad does not know. Motion to approve with conditions 1, 2, 3, 4, 7, 8, 14, 18, and 19, RC, second DB, so voted. Motion to close DB, second RC, so voted.

Public Hearing

- **Tremont Street, (Various), Cornaglia, COT/DPW, (NOI), SE73-2572** Field report states that this project covers the elimination of sewer and drain cross connections on Tremont Street and Hartwell Street; replacement of the sewer frame and covers on Dean Street; and the replacement of broken drain pipes on Tremont Street and Hopewell Street. This work is considered a limited project under 310 CMR 10.53(3)(d)(f)(k). This project will reduce the amount of bacteria entering Cobb Brook, the Taunton River, Mill River, and Three Mile River. The wetlands were delineated by Wetland Strategies in 10/13, with BVW, Inland Bank, Riverfront Area, and BLSF as the defined resource areas. MR is in agreement with the delineation as outlined below. The project areas and the resource areas within them are as follows: **Tremont Street**-BVW, Inland Bank, Riverfront Area, and BLSF. **Cobb Brook** is one of the resource areas within this project site and the wetland flags include A1-A6, B1-B7, C1-C11, and TOB1-TOB5. Two flag series delineate a BVW associated with an intermittent stream associated with Cobb Brook. These resource areas are on the north and south side of Tremont and are defined by flags D1-D4, and E1-E16. **Hopewell Street and South Avenue**-BVW, Inland Bank, Riverfront Area, and BLSF. The Mill River is the primary resource area. Flags in this area include wetland flags F1-F14, and TOB1-TOB11. **Dean Street**-BVW, Inland Bank, and Riverfront Area. The Taunton River is the resource area defined by wetland flags FL1A-FI21A, and TOB1-TOB14. The plan set outlines all streets that are connected to the Phase 10 SSES project, but the only sites within conservation jurisdiction are Tremont Street at Cobb Brook, Hopewell Street at the Mill River, Washington Street, and Dean Street at the Taunton River. These locations are on pages 3.1, 3.4, 3.8, 3.12, and 3.13. The work on Tremont Street across from #174 will include the abandoning of a 15" VC drain pipe in place and replacing with a new 15" CPP drain pipe. The headwall will be replaced and a rip rap scour pad will be installed to protect against erosion. The replacement of the headwall and pipe will be a few feet to the west of the current location in order to preserve the mature tree that has grown around the north end of the pipe and headwall. A 50 sf wetland replication area will be constructed near flag E-11 using a wetland seed mix. There will be an area of temporary disturbance within the wetland while the permanent disturbance will be around 25 sf. adjacent to Cobb Brook, across from #129, a sanitary and drain cross connection will be eliminated, two new drain manholes and a new sewer manhole will be installed as well as a drain pipe and headwall and new 8" PVC sewer pipe. The stormwater outfall will be moved from the culvert to the wetland and will provide an access point to maintain and clean the stormwater system. At Hopewell Street and South Avenue, the cross section at the intersection will be eliminated by installing a new drain manhole to which the drain line will be connected. The drain discharge pipe at the edge of the Mill River is broken and the last 10 feet will be replaced with rip rap. A total of 25 sf of wetland will be permanently disturbed and the replication area of 130 sf will be between flags F10-F-11. The work at Dean Street, along the banks of the Taunton River, will involve removing, disposing, and replacing the existing leaky sewer manhole frame and

covers with locking/gasketed water tight frame and covers. Approximately 5 feet of the existing sewer manhole walls will be recast and the frame and cover will be cast into the top slab of the sewer manhole. At all locations the roadway will be removed and replaced within the project area. Siltation barriers, or booms in the case of rivers, will be installed to protect the resource areas. All temporarily disturbed wetland areas will be loamed and seeded and any permanently disturbed wetlands area will be replicated at a 2:1 ratio. The removal of the sewer cross connections will improve the water quality, and wherever catch basins are replaced, hooded deep sump catch basins will be installed, also improving water quality. The project as presented will eliminate instances where stormwater and sewer connections are connected, thus fulfilling the state requirements under the SSES Program. Overall, the quality of the stormwater entering wetlands and riverways will be improved, with a decrease in the bacterial content caused by the sewer cross connections. MR recommends that the TCC approve this project and issue an order of conditions to include special conditions. Motion to open, DB, second RC, so voted. Angela Saunders from BETA group presented her project. Near 174 Tremont Street- RC had issues with the erosion control. He would like erosion control placed parallel to roadway on North side for about 40 feet on each side of trench, top of existing headwall, and at opening. Public Input: Linda Baker 133 Tremont Street-if things done at 174 will it affect her? No pipe is the same size as old, it should help things out but never put any more water on her property. Near Cobb Brook, 125 & 129 Tremont Street- Public Input Mike Johnson 125 Tremont Street- Asked if road will be torn up? Yes Asked if they will patch or pave? Just showing a patch on the plan. Theresa H 129 Tremont Street after microburst in her yard last year, she lost all her trees and all the dirt went into the brook. They came with a machine and sucked out the dirt in brook but now supporting walls are crumbling. ST check in the manhole it may be crumbling (at culvert). ST maintenance plan state to come clean out the drains on a schedule. ST from area where swamp is on O'Donnell property, have DPW check for what's in there and pick up any trash. Hopewell Street-pipe at Mill River is in pieces, will remove, replace, and use rip rap and replicate. Dean street-both sewer manholes are in very bad shape. Motion to approve with special conditions 1,2,3,4,5,6,7,8,9,19,21,25,26,27,28-Check headwall and pipe at #129 Tremont Street and #125 speak with homeowner, 29-Maintenance plan to clean catch basins at Tremont Street, and 30-Clean Cobb Brook at #115 Tremont Street, NK, second RC, so voted.

(at this point motion to go out of order to hear violation on 91 Field Street, DB, second RC, so voted)

(Motion to revert back to the regular order of business, DB, second MI, so voted)

- **91 Field Street, Pacheco/Kim-Nel Restoration, LLC, (NOI), SE73-2571** The field report states that this project is to replace a failed septic system in accordance with Title V. in addition, the plan shows a "proposed bituminous concrete driveway" to replace the existing gravel drive. The wetland delineation was performed by Walter Hewitson on 1/9/14 using 16 pink flags. MR visited the site on 2/24/14 to review the line. During the visit MR observed that trees along the east side of the proposed driveway had been cut. There was no evidence of a siltation barrier, and the work is within 50 feet of the wetland. MR spoke with Karen Patneude about the work done prior to the issuance of the order of conditions and told her MR would be sending a violation notice out to the applicant and a copy to her. She went out to the site and located the trees that were cut on a revised plan and brought the revised plan to the office. The original date of the plan is 1/22/14 with revised date 2/26/14, and this is the plan MR will be reviewing. MR will inspect the siltation barrier on Monday-the applicant is looking for the straw wattles and will install by this weekend. The closest tree stump is 38 feet from wetland flag FL2. The closest work to the resource area will be the driveway at 32 feet from flag FL3. The siltation barrier will be placed at least 28 feet from the wetland and will run from the end of the driveway to the existing bump out. The proposed drive will connect with the existing concrete drive which ends at the garage. The existing septic system will be emptied, crushed, and abandoned according to Board of Health regulations under 310 CMR 15.405 (1)(g). the new tank will be located 11 feet off the northeast corner of the house and the leaching field will be raised and in the front of the house. Part of the original paved driveway will be removed as part of the graded area of the septic system. The existing gravel driveway and this section of paved drive should be loamed and seeded and all areas must be stable prior to a request for a COC. The area is relatively flat and with the siltation barrier in place there should be no incursion of sediment into the resource area. Prior to any further work on the property, the order of conditions must be recorded and the siltation barrier must be inspected. MR is in agreement with the wetland delineation and recommends that the Commission approve the line as follows: flags FL10-FL12, with FL1 to FL9, and FL13 to FL16 for reference purposes only. MR also recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. Paul Patneude present. Motion to open, DB, second RC, so voted. Motion to approve with special conditions 1,2,3,4,5,8,9,13,16,17,19,21,24,25,26, and 27, RC, second DB, so voted. Motion

to close, DB, second RC, so voted.

- **Tremont Street, Hopgood, Clarewood Homes, (NOI), SE73-2573** Field report states that this project is for the construction of two single family homes, one of which the house, driveway, septic system, and grading are within the 100 foot buffer of a BVW. A common driveway will lead to the two homes-this driveway was approved under SE73-2456, and an order of conditions issued on 12/10/10. The driveway approval went from Tremont Street to the turnaround. The driveway filing needs to be closed and a COC issued prior to the start up of work on the two lots. The work within the buffer zone on the second lot consists of the driveway and site grading. The wetlands were approved and issued an ORAD on 11/17/10. A siltation barrier is depicted on the plan running from Tremont Street to the rear of lot 49-12. It is five feet from the wetland at the junction of Tremont Street but once past flag #34, it is at least 25 feet from the wetland, and is considered the limit of work. A concrete washout area and dewatering area are located outside of the 100 foot buffer just east of the proposed house on lot 49-115. The grading on lot 49-12 is the closest disturbance near to wetland and will fall within 30 feet of the BVW. The septic system leaching field will be 67 feet from the wetland while the closest corner of the house will be 60 feet away. Work on the second lot will fall 88 feet from the BVW to the west and 55 feet from the wetland to the east. The work as proposed should not have any negative impacts on the adjacent BVW. There should be no negative impacts regarding water on adjacent properties as the contours meet the original contours at the south side property line. MR recommends that the TCC approve this filing and issue an order of conditions to include the attached special conditions. Brad Fitzgerald present. Brad said new system is further from the wetland than existing is. RC asked if existing is a leaching field? Brad does not know. Motion to approve with conditions 1, 2, 3, 4, 7, 8, 14, 18, and 19, RC, second DB, so voted. Motion to close DB, second RC, so voted. Paul Patnaude present. Motion to open, DB, second MI, so voted. RC show for each house have 3 drywells? Yes. RC no detail of drywells and in relation nothing on the groundwater.

Paul said they are using stormtech it's plastic and way above groundwater. Motion to approve with special conditions 1,2,3,4,5,6,8,9,15,16,17,19,21,24,25,26,27 and 28-driveway COC must be issued and recorded prior to start of work on the project, RC, second DB, so voted. Public Input- Lisa Griffiths How far away? They are over 100 feet from her. No more water will end up in her basement will it? ST said they cannot put more water there. Her last questions was if the 40 feet of arborvitae will still be put in place? Yes.

Violation

- **91 Field Street** Motion to remove the violation, NK, second LF, so voted.

Other Business

- **MACC Conference Authorization** Approval needed for fee of \$460. Motion to approve fee of \$460, DB, second MI, so voted.
- **Re-Appointments.** MI?, RC, NK, ST, and EE are all Feb 2017, DB? They will get back to MR.

Motion to adjourn, NK, second LF, so voted. Meeting ended at 8:40pm